

Buffaloian. Bridget Masiello passed away August 5, 2006 of this year, but she left behind a legacy for all of Buffalo to be proud of.

Born of Seventh Street and raised on Busti Avenue, Mrs. Masiello was a lifelong resident of Buffalo's Westside.

It was here that she made her home with her husband, the late Daniel J. Masiello, and her seven children, including the former mayor of Buffalo, Anthony M. Masiello.

Remembered as a warm and affectionate lady, by her son, Mrs. Masiello was a devout Catholic and enjoyed bingo and playing cards. She was also active in the many social, political and athletic endeavors of her children and grandchildren.

Mrs. Masiello is survived by her five sons, two daughters; her sister, Carmella Leib; 14 grandchildren; and six great-grandchildren.

Mr. Speaker, I would like to take this opportunity to remember and celebrate the life of Mrs. Masiello for her contributions to the social and political fabric of the City of Buffalo. I ask my colleagues to join me in honoring her spirit here today.

#### ACQUITTAL OF MIDSHIPMAN 1ST CLASS LAMAR OWENS

#### HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 2006

Mr. LEWIS of Georgia. Mr. Speaker, I'm sure many people followed the case against Lamar Owens, as well as the not guilty verdict that followed. Because the impact of this case does not end with the verdict, I am submitting two opinion articles for the RECORD. I believe these articles highlight some important things to consider regarding the lasting impact these charges will have on this young man, his accuser, and so many others. I submit the following opinion articles for the RECORD: "Owens absolved, but Navy case has no winners," by Rick Maese from the Baltimore Sun and "Academy can help dispel cloud from rape case," which appeared in the Capital on August 1, 2006.

[From the Capital, Aug. 1, 2006]

#### ACADEMY CAN HELP DISPEL CLOUD FROM RAPE CASE

Whatever conduct Midshipman 1st Class Lamar Owens admitted to when he was court-martialed on rape charges, much of the second guessing following his acquittal on those charges hasn't focused on him. It has focused on the Naval Academy, which relied on noncredible testimony in a case that showcased the superintendent's crackdown on sexual harassment.

A military jury recently acquitted Midshipman Owens of raping a female midshipman. It found insufficient evidence to disregard Midshipman Owens' version of events. He contended all along that the sexual intercourse was consensual.

The female midshipman, who had a history of alcohol abuse, had returned to her dorm drunk on the night of the incident. Midshipman Owens testified that she invited him to her room and that she fell asleep during sexual intercourse.

It was her word against his—and the verdict surprised no one who followed the trial. The jury did convict Midshipman Owens of the lesser charge of conduct unbecoming of an officer, but declined to impose any punishment for it.

The case was deeply flawed. Not only did the accuser's history cast doubt on her testimony, but she didn't even cry for help from a roommate asleep just a few feet away. All the prosecutors really had solid evidence for was a sexual encounter—something that violated the institution's honor code, but is not unheard-of at the academy.

There are no winners here, but right now the biggest loser seems to be Midshipman Owens. His reputation can't be restored and the suffering for himself and his family can't be erased. The superintendent should drop any further action against him.

It is less clear what to do with his accuser. She and her friends were granted immunity for their testimony, so she faces only minor disciplinary action. Perjury trumps immunity—so if prosecutors believe she perjured herself, would they pursue those charges with equal determination?

Just what is the penalty for making a false accusation? Graduation and a commission? The accuser's name wasn't paraded before the public. Her family didn't have to face public speculation and ridicule. She was shielded. But given the problems she admitted to at the trial, is she the kind of officer we'd want to lead troops into combat?

The superintendent, Vice Adm. Rodney Rempt, inherited a school with a history of sexual misconduct. We applaud his determination to purge the academy of sexual harassment. But in the process of demonstrating their resolve, he and his staff appear to have chosen the wrong case.

We don't know if the superintendent got bad advice from the attorneys or if he decided to make an example of Midshipman Owens, the former quarterback of the Navy football team. But now that Midshipman Owens has been acquitted of rape, we believe he has suffered enough. If his accuser ends up with the commission that he deserves, then the worst miscarriage of justice is yet to come.

[From the Baltimore Sun, July 23, 2006]

#### OWENS ABSOLVED, BUT NAVY CASE HAS NO WINNERS

(By Rick Maese)

Forget the campus fame, the media coverage, the proud alums and the smiling boosters. There's no real meaning behind any of that.

The game clock only hints at this possibility, but there's a point for everybody when you realize that the game is over. When you step off the playing field, your role changes.

One minute: a star quarterback, the team's most valuable player, playing in a bowl game. The next: a worried defendant, the accused, marooned far away from the football field.

One minute: a successful coach, the father figure, a leader of men. The next: a character witness, the supporter, taking a stand in a courtroom.

There's no scoreboard that will tell you this, but there wasn't a single winner when Lamar Owens, the Naval Academy's quarterback last season, was cleared of rape charges last week.

On Friday, a military jury recommended no punishment for Owens in connection with two lesser charges.

Navy coach Paul Johnson was at home when he heard the news. He picked up the phone and called Owens. It went to voice mail, and the coach said that he was happy for Owens, happy for his family, and that he hoped they could all move forward.

As tough as the past six months have been, moving forward is no easy challenge. Not for Owens and not for his accuser. Not for the academy and not for Johnson's football team.

"Lamar and his family, for them this has been a tremendous pressure," Johnson said. "I wasn't really worried about the program. The program stands on its own. I can see where for some people, though, the verdict does vindicate Lamar and maybe it does vindicate the program a little bit."

Johnson has remained mostly tightlipped about the case. He spoke with reporters during the team's spring practice but has said little else. Even after the verdict, Johnson was careful with his words when I spoke with him Friday evening.

But you could tell how highly Johnson regards Owens. The two met six years ago when the coach recruited Owens to play for him at Division I-AA powerhouse Georgia Southern. Then, when Johnson accepted the Navy job five years ago, he persuaded Owens to follow him to Annapolis.

There's a reason that Owens' defense attorneys called on Johnson as a character witness. The coach took the stand and said Owens had always been "above reproach," but the judge, Navy Cmdr. John Maksym, barred Johnson from sharing any opinions on the charges brought against Owens.

"What they were saying Lamar did, well, it was just totally out of character," Johnson told me on Friday. "The accusations weren't the Lamar I knew."

That's why it was so easy for Johnson to tell everyone to just allow the case to play out. Johnson says he was confident that if Owens was not guilty, the evidence and testimony would reveal it.

"I think some people are quick to jump to conclusions," he said. "But my take all along was: Let's wait and see what happens. People want to rush to judgment, but that's not fair to anybody. You have to give a guy a chance to defend himself."

The charges never made sense to anyone who knew Owens. He was from a good home—his father works for the power company, his mother is a prenatal nurse. He attended a military school before coming to the Naval Academy. He recited Scripture to friends and attended Bible study sessions every Thursday.

In fact, after the accuser went to academy officials with her allegations, several of Owens' teammates wanted to confront her en masse. Owens pleaded with them not to. He even went to Johnson and asked the coach to also discourage his teammates.

They all love Owens. It's why the players voted him Most Valuable Player of last season's 8-4 team. It's why they were in court for 10 straight days, sitting together in the gallery as a show of support.

They all breathed a sigh of relief Friday. What they knew about their friend, now everyone knew.

But no one thinks this is completely over. When someone levies a serious charge, such as rape, the pounding of a gavel doesn't make everything disappear.

Owens has completed his classwork but isn't certain he'll be allowed to graduate. There's also the possibility that he could be expelled from the academy and forced to repay costs for his taxpayer-funded schooling: \$140,000.

"He's been remarkably upbeat," Johnson said of Owens. "I think he's handling stuff very well."

Owens won, but so much has been lost. In sports, victory is supposed to be the ultimate reward, but that doesn't always translate neatly to the real world.

There's so often a gray area—between consent and force, between innocence and guilt, between winning and losing.

"Nobody wins in these situations," Johnson said.

Owens is a free man now. The Midshipmen begin practice next week. And life at the academy is back to normal.

But not really.

There are lessons in this for everyone—surely, for Owens and his accuser, but also for team officials and school administrators. It's just unfortunate that this is how lessons are learned.

Owens led his team in rushing and passing and touchdowns last season. He took the Midshipmen to the Poinsettia Bowl, a 51-30 win over Colorado State. It was a great senior season, one most Navy fans won't soon forget.

Time will pass and Owens' place in school lore will be cemented. When that happens, it'd be nice if Owens is remembered for all that he did at the academy and not for something he didn't.

## FREEDOM FOR FÉLIX GERARDO VEGA RUÍZ

**HON. LINCOLN DIAZ-BALART**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 7, 2006*

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I rise today to speak about Félix Gerardo Vega Ruíz, a political prisoner in totalitarian Cuba.

Mr. Vega Ruíz is a member of the Cuban Democratic Workers Union and the Pro Human Rights party. As a courageous member of the opposition, he has steadfastly demanded freedom, democracy, and human rights for the Cuban people. He has bravely denounced the cruel policies of the tyrant and demanded that the people of Cuba be allowed their inalienable rights.

According to The Assembly to Promote Civil Society, Mr. Vega Ruíz was arrested by the dictatorship in 2003 and, after a sham trial, thrown into the totalitarian gulag. According to multiple sources, Mr. Vega Ruíz was sentenced to 7 years in the gulag. Let me be very clear, Mr. Vega Ruíz has been incarcerated in the gulag for daring to dream of and to work on behalf of a democratic Cuba.

According to NetforCuba, Mr. Vega Ruíz has continued to oppose the tyrannical regime while locked in the gulag. He has conducted hunger strikes, including one that lasted 83 days and nearly killed him, to call attention to the horrific abuses of the dictatorship. He has also been stabbed while in the gulag. Let me say that again, Mr. Vega Ruíz has been stabbed while he languishes in the abhorrent gulag, and yet he continues to steadfastly oppose the gangster regime in Havana.

Mr. Vega Ruíz is a brilliant example of the heroism of the Cuban people. Mr. Vega Ruíz knows the violence, abuse, and repression that will be used to try to break him. Yet he stands strong in the strength of his conviction that the people of Cuba should be and will be free. Mr. Vega Ruíz is one of the many heroes of the Cuban democratic movement who are locked in the dungeons of the dictatorship for their beliefs. They are symbols of freedom and democracy who will always be remembered with respect and admiration when freedom reigns again in Cuba.

Mr. Speaker, this courageous man is locked in the tyrant's gulag for failing to keep silent about the nightmare that is the Castro regime. It is unacceptable that, while the world stands by in silence and acquiescence, pro democracy activists like Mr. Vega Ruíz are systematically tortured. My Colleagues, we must

never forget those who are locked in gulags because of their desire for freedom for their countries. We must demand the immediate and unconditional release of Felix Gerardo Vega Ruíz and every prisoner of conscience in totalitarian Cuba.

## RECOGNIZING NIKITA RODRIGUES FOR HER INSPIRING SPEECH

**HON. HAROLD ROGERS**

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 7, 2006*

Mr. ROGERS of Kentucky. Mr. Speaker, we need not worry about America's future if all our up and coming leaders believe in her as does a high school student in my District who delivered the following "Message for America" to an audience of young people.

Nikita Rodrigues lives in my hometown of Somerset, Kentucky and is an outstanding person, as you can tell.

"MY MESSAGE FOR AMERICA"

Ladies and Gentlemen, I speak to you today as a young American. Let that serve as sufficient warning that what I have to say contains equal proportions of young Hope and American Pride. These are the priceless ingredients of my Message for America, which is, "America: Be, all that you can be."

As a young American I am sick and tired of the naysayers that predict the end of the American dream. I am sick of reading about the differences between the red and the blue states and how those insurmountable differences will suffocate our future as Americans. I am sick of hearing about Americans being described as consumers, not producers. And I am sick of people taking pot shots at my country as being past her glory years. To all these naysayers, divisionists, and pessimists I have only one thing to say, "Your mistake lies in under-estimating the youth of America."

It was our past-President Bill Clinton who once said, "There is nothing wrong with America that cannot be cured by what is right with America"! America's most priceless asset lies not in her immense natural resources, not in her huge factories, not in her stores of gold, not her natural beauty nor her system of incredible highways. America's greatest assets still are the character of her people and the optimism of her youth.

We the youth of America must believe that we can make a difference. We must participate in the political process and hold our leaders accountable when partisan politics stymies our progress. If American high-schoolers are lagging behind the rest of the world, it is time to demand that our schools foster excellence and competitiveness rather than comfortable mediocrity. In the flat world of today, American youth must step up and compete. Yes, we are more diverse than we ever were, but that diversity can and must be our strength.

In his book, "What's so Great About America" Dinesh D'Souza had this to say about our country. "America is the greatest, freest and most decent society in existence. It is an oasis of goodness in a desert of cynicism and barbarism. This country, once an experiment unique in the world, is now the last best hope for the world."

That hope and responsibility rests firmly on our young American shoulders. We can either shrug it off or bear down and accept the daunting challenge to each do our part to make America—All That She Can Be!

Nikita Rodrigues, Somerset, Kentucky

## TRIBUTE TO LEO SHERLOCK HOLMES

**HON. ROBERT A. BRADY**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 7, 2006*

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise to honor the life, dedication and contributions of Mr. Leo Sherlock Holmes, who passed away on July 21, 2006.

Mr. Holmes served the U.S. Army as a member of the 99th Fighter Squadron of the Tuskegee Airmen during World War II, and in November 1965 he became the first African American to be elected to Chester City Council. Mr. Holmes served as an inspiration for many people. Because of his trail blazing, the impossible became possible and a reality.

Aside from his career on City Council, Mr. Holmes was also a City Treasurer, a math teacher at Frederick Douglass Junior High School, and a deacon at Bethany Baptist and, later, Calvary Baptist Church. It could never be said that Leo was not an active person. He loved people and lived under the motto that he would be a better person when he reached out to help others.

Mr. Holmes served as a Councilman for the City of Chester for 14 years. He then served as Personnel Director before retiring as City Treasurer on January 10, 1986. Believing and accepting that the people of Chester entrusted him in this position, Leo worked hard to address the issues and answer to the call of the people to the best of his ability. In September of 1990, Leo was appointed to the Board of Directors of the Chester Water Authority and served for 12 years before retiring due to increasing health problems.

Mr. Holmes was dedicated and devoted to the Masonic Order. His journey there started on December 3, 1955 until he his failing health forced him to leave his Masonic office in October of 1990. Upon his resignation the Grand Lodge unanimously voted that he be recognized as the Right Worshipful Grand Secretary Emeritus of the Most Worshipful Prince Hall Grand Lodge, Free and Accepted Masons of Pennsylvania.

Throughout his career, Mr. Holmes has led by example and we all have benefited from his leadership, intellect and integrity. Mr. Holmes' passing represents the loss of a powerful and committed voice, and it is for these reasons I ask that you and my other distinguished colleagues rise to honor him.

## RECOGNIZING KEVIN JUSTICE OF CITRUS COUNTY, FLORIDA

**HON. GINNY BROWN-WAITE**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 7, 2006*

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today to honor Kevin Justice of Citrus County, Florida, an Army Chief Warrant Officer with More than twenty-four years of service.

Chief Warrant Officer Justice is a graduate of Hernando High School and the Florida Military Academy, where he attended Officer Candidate School. When he is not deployed overseas, Kevin attends the First United Methodist